

Circuit Court Has Usual Busy Routine

Monday, June 4.
At 4:55 p. m. Saturday Judge Stanley adjourned the May term of the First Circuit Court sine die, all cases not heard being continued until next term. This closed the last session of the court ever to be held in the Republic of Hawaii.

The divorce case of Henry E. Cook vs. Anna M. Cook was partly heard when the court adjourned.

Judge Davis granted Kamalu Kamele a divorce against her husband, Kahlala Kahiamoe. Corra for plaintiff; no appearance of or for defendant.

Judge Davis granted Rebecca E. Johnson a divorce against William R. Johnson. De Bolt for plaintiff; no appearance of or for defendant.

Judge Stanley fined Ah Tuck, who pleaded guilty of assault and battery, to pay a fine of \$50 and costs, which he paid. Ah Sam, a co-defendant of Ah Tuck had pleaded not guilty and was acquitted by a jury.

C. J. McCarthy vs. J. S. Walker has been settled out of court.

Judge Stanley confirmed sales of real estate, with the consent of all parties in the J. H. Coney estate.

Judge Stanley appointed P. L. Weaver administrator of the estate of Abbie Nihoa Hoopo under \$250 bond. The estate consists of 50 acres of cane land leased at \$105 a year to Waiwala Agricultural Co.

Motions to set days for hearing have been made in Miriam Peleuli Amalu vs. Mary Pahau et al., Sarah E. Berger vs. Chas. W. Booth and Chas. S. Desky and Wm. Blaisdell vs. I. R. Burns. Hawaiian Gazette Co. vs. J. M. Monsarrat is stipulated for hearing in vacation on ten days' notice.

Humphreys & Andrews file an amended complaint, and W. R. Castle and P. L. Weaver answer thereto in the action to quiet title on L. Ahlo, trustee for Anthony Lee, vs. Waiwala Agricultural Co.

Judge Stanley appointed B. L. Marx administrator of the estate of John William Winter, deceased, on petition of the widow and under bond of \$11,000.

Wednesday, June 6.
P. D. Kellett, master, reporting on the guardianship of Antonio Long, last of the Long minors to come of age, finds property valued at \$10,842.08 to be handed over to the ward. F. A. Schaefer is the guardian. The master recommends his discharge, saying: "In submitting this the last and final report on this estate, it should be stated, to the credit of the guardian, that the past history of this estate shows this as one of the most prudent and careful administered estates of this court." The master says each settlement to an outgoing beneficiary has shown always a steady increase of the remaining capital fund.

Emil Ney, profratly, had his appeal tried under waiver of jury by Judge Stanley. The sentence of the lower court was remitted, \$15 fine and costs. J. W. Cathcart prosecuted, defendant handling his own case.

Robertson & Wilder for plaintiff will present a motion tomorrow to amend declaration in the Hagye cure case of Thomas Milner Harrison against J. A. Magoon, F. B. McStocker, L. C. Ables and Dorothea Emerson.

Judge Stanley denied the petition for temporary administration on the estate of Samuel K. Kahai, deceased. Davidson for petitioner; Blitting for a contestant.

C. W. Booth and C. S. Desky move to dismiss the complaint of Sarah A. Berger against them for want of prosecution. Judge Stanley has ordered a commission to Charles T. Wilder to take the testimony of plaintiff in San Francisco.

Henry Smith has been appointed by Judge Stanley to succeed Bruce Cartwright as trustee under the will of R. W. Holt under \$30,000 bond.

The Canadian-Australian Steamship Co., by Robertson & Wilder, has filed a motion for a new trial of Jennie Alexander's case against it, on the grounds that the verdict of \$5000 damages is excessive, also contrary to the law and evidence, and for errors.

Administration proceedings on the estate of Esther Kalauka, deceased, have been discontinued by agreement of Kalua and Poepe, attorneys for the grandmother petitioning, and Barenaba, attorney for the mother of deceased. The estate is valued at \$150.

Following were the very latest charters for Island ports at San Francisco when the City of Peking sailed:

Alden Besse, Am. bk. 812 tons—pass and mds to Honolulu, by J. D. Spreckels & Bros. Co.

Amy Turner, Am. bk. 900 tons—pass and mds to Hilo, in Planters Line, by Welch & Co.

Irmgard, Am. bk. 614 tons—pass and mds to Hilo, in Hawaiian Line, by Williams, Dimond & Co.

Mohican, Am. bk. 784 tons—pass and mds to Honolulu, in Planters Line, by Welch & Co.

Wm. H. Smith, Am. bk. 496 tons (at Blakeley)—lumber thence to Honolulu, by Renton, Holmes & Co.

Thursday, June 7.
P. D. Kellett Jr., master, has filed a report on third annual account of J. Alfred Magoon, trustee of the estate of John L. Blaisdell Jr., deceased. He finds the account correct, and \$5262.80 invested in seven mortgages, six of them at 9 per cent and one at 8 per cent. The value of the estate is \$34,632.80. Judge Stanley has confirmed the report and approved the account.

Judge Stanley has approved the account of Raymond Reyes, guardian of David Callihan, minor. There is a balance due the ward of \$14.86. The value of the estate is \$1741.75.

Mathilde Jurgensen petitions for probate of the will of her late husband, Jacob Jurgensen. The heirs are the widow, three sons and a daughter. All of the estate, which is valued at \$12,000, is left to the widow.

Friday, June 8.
The following cases for the August term of the Circuit Court have just been filed:

Fred Meyer vs. John A. Baker and Ane Baker, specific performance. The case arose over a promissory note for \$100.

Petition by Joseph Lopez for the guardianship of his children, Mercedes Lopez and Joseph Lopez, Jr., minors. Plaintiff alleges that he pays \$15 per month for the support of the children and alleges neglect on the part of Lena Lopez, the mother.

C. F. Jenne vs. James Campbell and Thomas A. Pettus, defendants, and W. G. Irwin & Co., Claus Spreckels & Co., Henry Waterhouse, C. W. Dickey and the Hawaiian Automobile Co., garnishees. Plaintiff claims \$8,000 on a promissory note.

W. O. Smith and S. W. Wilcox vs. W. H. Winchester, bill to foreclose mortgage on Quarry street premises (area, 6,000 square feet) on a promissory note for \$2,400.

HAWAIIANS EXPRESS THANKS.

Editor Evening Bulletin: We, the Presidents of the Aloha Aina and Kalaiaia Society, on behalf of the delegates of the Independent Party which met in Honolulu, Oahu, on the 6th day of June, 1900, wish to express our greatest thanks to the Evening Bulletin for the true and correct report of the business transacted at the meeting, as published in your columns. We are, yours very sincerely,

JAS. K. KAULIA,
President Aloha Aina.
D. KALAUOKALANI,
President Kalaiaia.

Honolulu, June 7, 1900.

774.20, is left to the widow, and G. C. Hewitt of Naalehu, Hawaii, is named as executor. The realty consists of a residence on Punchbowl street, Honolulu, valued at \$2000, and a lot in Hilo at \$700. The personality is money in banks.

Mrs. Lizzie Kahookano petitions that the Hawaiian Trust and Investment Co., Ltd., be appointed guardian of her five step-children.

Judge Davis has appointed Henry Smith guardian of six Kauhane minors under a bond of \$4000. Wm. Lan, uncle, had petitioned for the appointment of himself. The children live with their mother at Waikale, Oahu.

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Thursday, June 7.
The Council of State members were called in caucus yesterday afternoon to hear a letter from the Secretary of State, which stated that President McKinley did not consider his approval necessary to Acts 2, 3 and 4, making appropriations for the use of the Government. The bills were enclosed, with a suggestion that the clause making them subject to the approval of the President of the United States be stricken out.

At 10 o'clock this morning the Council of State convened in President Dole's office, there being present President Dole, Ministers Mott - Smith, Young and Cooper; Councilors C. Wolfe (secretary), J. A. Kennedy, W. F. Allen, Paul R. Isenberg, S. K. Ka-ne, J. L. Kaulukou, A. V. Gear, John Nott, M. P. Robinson, W. C. Achi, M. A. Gon-salves.

Attorney-General Cooper read the correspondence.

President Dole, in answer to Mr. Isenberg, said that the approval of President McKinley, given in advance of their reaching him, was evidently a mistake that was later pointed out to him by the law officers. The advice now received would indicate that President McKinley considered the Council had power to make appropriations without his approval. In the meantime, under the previously communicated approval of the President, the Government had made expenditures under the bill.

Mr. Gear thought new bills should be passed, although, as a matter of fact, it would be the old bills.

President Dole read the rules for the special session, which included one that bills should be passed subject to the approval of the President of the United States.

Mr. Kennedy thought the bills should simply be re-enacted without the clause making them subject to the President's approval.

Mr. Achi moved, seconded by Mr. Isenberg, that the rules be canceled as of April 30. Carried.

Mr. Isenberg moved, seconded by Mr. Robinson, that Acts 2, 3 and 4 be reconsidered. This brought up the whole question of procedure.

Mr. Gear thought the safest way was simply to pass the bills.

Mr. Achi believed a motion to amend each bill was the right thing, and moved accordingly. Mr. Isenberg withdrew his own motion and seconded this one.

Mr. Gear said he would vote for the motion to get out of the middle, yet he doubted if the Council of State had the power of such legislation, either under the Annexation resolution, under the power conferred by President McKinley or under the Constitution of Hawaii.

Minister Young had no fear that the procedure was wrong. President McKinley had shown that he had full confidence in the Council of State.

Mr. Isenberg took the same view, since President McKinley disapproved of calling a special session and directed that the Council of State should make necessary appropriations. The speaker considered these appropriations as necessary.

Mr. Gear asked the President if President McKinley's instructions gave the Council of State the legal power.

Mr. Dole answered in effect that they were the judges of the Council's power under the Constitution. President McKinley had authorized the Council to make necessary appropriations, and it was for them to decide what appropriations were necessary.

Mr. Kennedy would vote to pass the bills, but wanted to record his doubt as to the Council's power.

The bills were amended, one after another, and passed.

Mr. Isenberg asked if any communi-

cation had been received from Washington regarding the Court of Claims. President Dole answered in the negative.

Secretary Bolte read a letter to himself from Mr. Cortelyou, secretary to President McKinley, telling of the reference of the fire claims matter to the Attorney-General. This letter has been published in The Bulletin.

Mr. Dole, answering a question by Mr. Kaulukou, stated that he had received his commission as Governor from President McKinley.

In answer to Mr. Kennedy about pardons for Admission Day, Mr. Dole said certain cases of restoration to civil rights were under consideration. The Council would probably be called again for this business.

Mr. Kaulukou asked particularly about the political prisoners. Was it the intention of the Governor to restore all such to civil rights on the 14th of June?

Mr. Dole replied that such was his intention.

Mr. Isenberg asked if those people needed this act of clemency, when they would all become American citizens on that day.

Mr. Dole said that, while all Hawaiian citizens would become American citizens, the people in question having lost their rights of Hawaiian citizenship, would require to have such restored.

Before the Council adjourned Mr. Dole announced the receipt of the War Department communication, given elsewhere, stating that the new harbor lines had been approved. This news was received with applause.

Walluku, June 2.—The Japanese who was found dead among the aigeroba trees near Kihel a few days ago has been identified as Hiroshima Guchi, one of the contract laborers from Camp 7, Kihel plantation. He had been missing for some time, and it was known that he was subject to erratic fits.

Deputy Sheriff A. N. Hayseiden served a label on the ship John C. Potter now lying in Kihel harbor in accordance with a label by the Wilder Steamship Company against said ship and her cargo issued by the First Judge of the First Judicial Circuit Court.

Both the sheriff's office and the court house are now being laid with water traps from the new government mains.

Mr. Ball's new saloon, near the Walluku depot, opens today. Mr. McTighe is up here to supply the numerous patrons of the saloon with free champagne.

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